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Attorneys for Defendant
SYNTHES USA SALES, LLC, erroneously named and sued as
SYNTHES, CORP., LTD.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARTIN MONROY-PADILLA,) Case No.: CV12-05420 EJD
and)
GRACIELA SANTOS VALDEZ) **STIPULATION TO CORRECT AND
REFLECT THAT THE LEGAL NAME OF
THE DEFENDANT IS SYNTHES USA
SALES, LLC, AND THAT DEFENDANT'S
CORRECT NAME SHOULD BE
REFLECTED IN ALL PAPERS AND
PLEADINGS; [PROPOSED] ORDER**
Plaintiffs,)
v.) Date: March 8, 2013
SYNTHESS, CORP., LTD., and DOES 1 through) Time: 10:00 a.m.
100, inclusive,) Place: Courtroom 4, 5th Floor
Defendants.)

Plaintiffs MARTIN MONROY-PADILLA and GRACIELA SANTOS VALDEZ (“Plaintiffs”), by and through their attorneys, Sayre & Levitt LLP, and Defendant SYNTHES USA SALES, LLC (“Defendant”), by and through its attorneys, Wilson, Elser, Moskowitz, Edelman & Dicker LLP agree and stipulate as follows:

1. Plaintiffs filed their lawsuit herein in the Superior Court of California, in and for the County of Monterrey, Case No. M119017 on July 23, 2012, and in said pleading inadvertently and incorrectly named the Defendant as Synthes, Corp., LTD, when, in fact, the correct name of the Defendant is SYNTHERS USA SALES, LLC.

2. Defendant filed an Answer on October 19, 2012, answering as Defendant SYNTHES USA SALES, LLC, erroneously named and sued as SYNTHES, CORP., LTD.

3. Plaintiffs and Defendant stipulate and agree that Defendant's correct name should be reflected in the caption and in all further papers and pleadings filed herein as SYNTHES USA SALES, LLC, and that SYNTHES USA SALES, LLC is the correct legal name of the Defendant who has answered Plaintiffs' Complaint herein.

4. Plaintiffs and Defendant further stipulate and agree that the entity originally identified in Plaintiffs' Complaint as Defendant SYNTHES, CORP., LTD., shall be deemed dismissed without prejudice.

DATED: March 1, 2013

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

/s/ Genese K. Dopson

By:

Genese K. Dopson
Attorneys for Defendant
SYNTHES USA SALES, LLC,
erroneously named and sued as
SYNTHES, CORP., LTD.

DATED: March 1, 2013

SAYRE & LEVITT LLP

/s/ Federico C. Sayre

By:

Atorneys for Plaintiffs
MARTIN MONROY-PADILLA and
GRACIELA SANTOS VALDEZ

[PROPOSED] ORDER

The parties having stipulated by and through their attorneys and good cause having been shown,

IT IS HEREBY ORDERED that Defendant's correct name should be reflected in the caption on all further papers and pleadings filed herein as SYNTHES USA SALES, LLC, and that

1 | SYNTHERS USA SALES, LLC is the correct legal name of the Defendant who has answered
2 | Plaintiffs' Complaint herein.

3 | Date: 3/4/2013

By:


Honorable Edward J. Davila
United States District Judge

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**STIPULATION TO CORRECT AND REFLECT THAT THE LEGAL NAME OF THE DEFENDANT IS SYNTHES USA
SALES, LLC, AND THAT DEFENDANT'S CORRECT NAME SHOULD BE REFLECTED IN ALL PAPERS AND
PLEADINGS; [I]PROPOSED ORDER**

HEADING, [PROPOSED] ORDER

CERTIFICATE OF SERVICE

Martin Monroy-Padilla et al. v. Synthes, Corp., LTD.
United States District Court, Northern District Case No.: CV12-05420 EJD

At the time of service I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, California. My business address is 525 Market Street, 17th Floor, San Francisco, California 94105. On this date I served the following document(s):

STIPULATION TO CORRECT AND REFLECT THAT THE LEGAL NAME OF THE DEFENDANT IS SYNTHES USA SALES, LLC, AND THAT DEFENDANT'S CORRECT NAME SHOULD BE REFLECTED IN ALL PAPERS AND PLEADINGS; [PROPOSED] ORDER

on the person or persons listed below, through their respective attorneys of record in this action, by placing true copies thereof in sealed envelopes or packages addressed as shown below by the following means of service:

- By United States Mail.** I placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- By Overnight Delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and address to the persons at the addresses below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- By Messenger Service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and provided them to a professional messenger service for service.

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Mordechai D. Pelta
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Graciela Santos Valdez

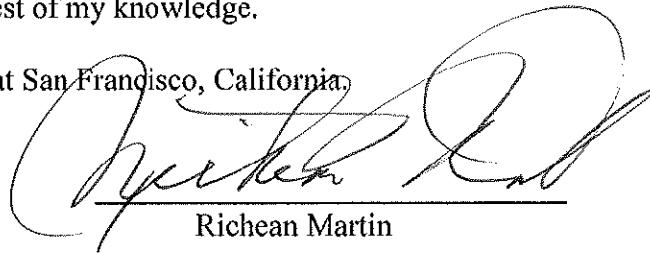
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STIPULATION TO CORRECT AND REFLECT THAT THE LEGAL NAME OF THE DEFENDANT IS SYNTHES USA SALES, LLC, AND THAT DEFENDANT'S CORRECT NAME SHOULD BE REFLECTED IN ALL PAPERS AND PLEADINGS; [PROPOSED] ORDER

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct to the best of my knowledge.

3 EXECUTED March 1, 2013 at San Francisco, California,

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Richean Martin

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